

Adversary Case Opening

For Attorneys / Trustees

Opening an Adversary proceeding involves entering the necessary information regarding the plaintiff, defendant, and basic statistical data. The complaint is incorporated into this process and will not need to be docketed separately. At this time when the filer is the attorney, he/she **must also be added as a party to the case**. This is the only time this process is required. (Refer to Step 7.)

- STEP 1** Click the Adversary hyperlink on the CM/ECF main menu bar. (See Figure 1.)

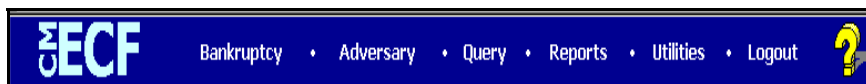


Figure 1

- STEP 2** Click on the Open an AP Case hyperlink displayed on the **ADVERSARY EVENTS** screen. (See Figure 2.)

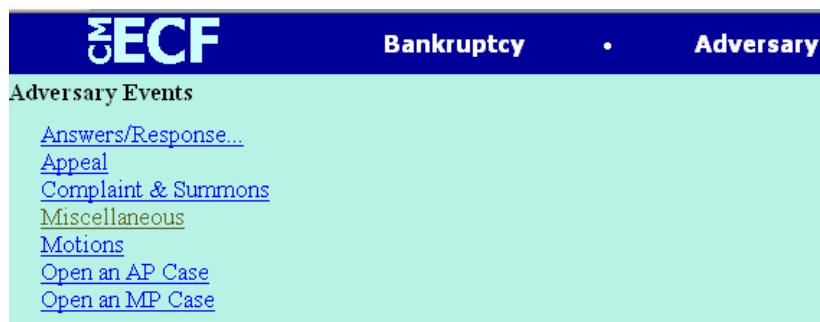


Figure 2

STEP 3 The **CASE DATA** screen displays. (See Figure 3.)



Figure 3

- ◆ The case number will be generated at the end of this process. Make sure you take note of it on the final screen.
- ◆ The **Case type** will always default to **ap** for adversary proceeding.
- ◆ The current date is displayed next to **Date Filed**.
- ◆ The Complaint field signifies the lead event for this proceeding. If you are filing something other than a complaint such as a Notice of Removal, select **(n)** for no.
- ◆ Click **[Next]**.

STEP 4 The **LEAD CASE INFORMATION** screen displays. (See Figure 4.)



Figure 4

- ◆ Enter the cases number for the main bankruptcy case in the **Lead Case number** field.
- ◆ Leave Association type to **[Adversary]**.
- ◆ Click **[Next]**.

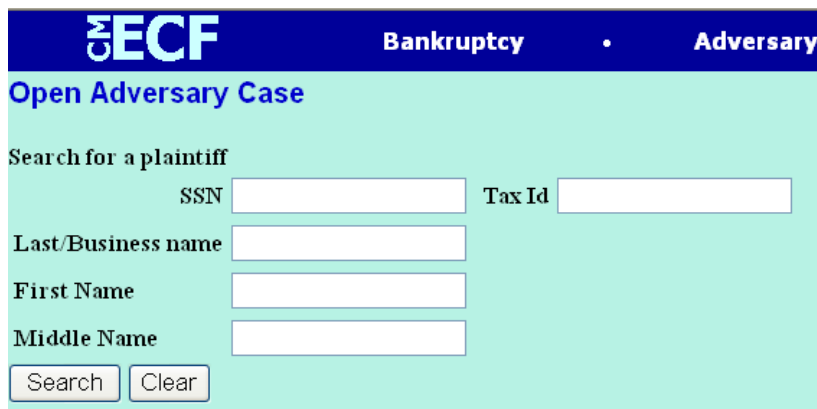
- STEP 5** Division of the case will be assigned based on the case number entered in **STEP 4**, as shown in **Figure 4**. If a mistake was made when typing the main bankruptcy case number, click on the **[Back]** button and make the correction. If the information is correct, click **[Next]** to continue.



The screenshot shows the ECF system interface. At the top is a blue header with the ECF logo and tabs for 'Bankruptcy' and 'Adversary'. Below the header, the title 'Open Adversary Case' is displayed. The main content area has a light blue background and contains the text: 'Case is assigned to **Louisville** Division, Judge **Stosberg** based on the lead Bankruptcy case 06-30011.' At the bottom of this area are two buttons: 'Next' and 'Clear'.

Figure 5

- STEP 6** The **SEARCH FOR A PLAINTIFF** screen appears. (See Figure 6.)



The screenshot shows the ECF system interface. At the top is a blue header with the ECF logo and tabs for 'Bankruptcy' and 'Adversary'. Below the header, the title 'Open Adversary Case' is displayed. The main content area has a light blue background and contains the text: 'Search for a plaintiff'. Below this text are five input fields: 'SSN', 'Tax Id', 'Last/Business name', 'First Name', and 'Middle Name'. At the bottom of this area are two buttons: 'Search' and 'Clear'.

Figure 6

- ◆ Before adding a plaintiff, it is recommended that one search the database for the filer. One can search by Social Security Number, Tax Identification Number, Last Name or Business Name.
 - Enter the last name of the party to be searched. If this is a business filing, enter the first word of the name to search the database. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters

Search Hints:

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Searching is case sensitive. (Smith, not smith)
- Include punctuation. (O'Brien, Zeta-Jones)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (*son, Gr?y)
- Do not search only by the asterisk * itself.

- ◆ Enter the plaintiff's last name or other search clue and click **[Search]**.

NOTE: Do not use the asterisk * by itself as search criteria. If just the asterisk is used, the entire database will be searched and require unnecessary systems resources and may degrade response time.

STEP 7 The **SEARCH FOR A PLAINTIFF RESULTS** screen appears.
(See Figure 7a.)

The screenshot displays the ECF Adversary search interface. At the top, there is a blue header bar with the ECF logo on the left, and the words "Bankruptcy" and "Adversary" separated by a dot on the right. Below the header, the main area has a light blue background. It starts with the text "Search for a plaintiff". Underneath, there are input fields for "SSN" and "Tax Id", each followed by a white text box. Below these are four more white text boxes labeled "Last/Business name", "First Name", "Middle Name", and "Last Name". At the bottom of this section are two buttons: "Search" and "Clear". Below the search fields, the text "Party search results" is displayed, followed by "No person found." At the very bottom, there is a button labeled "Create new party".

Figure 7a

NOTE: If the designated party was already on the database, the Party Search Results screen would provide a listing of parties matching your search criteria. In that situation you would select the party by highlighting the name with your mouse and click on the **[Select Name From List]** button.

◆ If the plaintiff for your adversary case is not on the list, click the **[Create New Party]** button.

NOTE: Your name search may find more than one record having the same name as shown in **Figure 7b**. Clicking on each of the names will display a window showing the party's address information for verification.

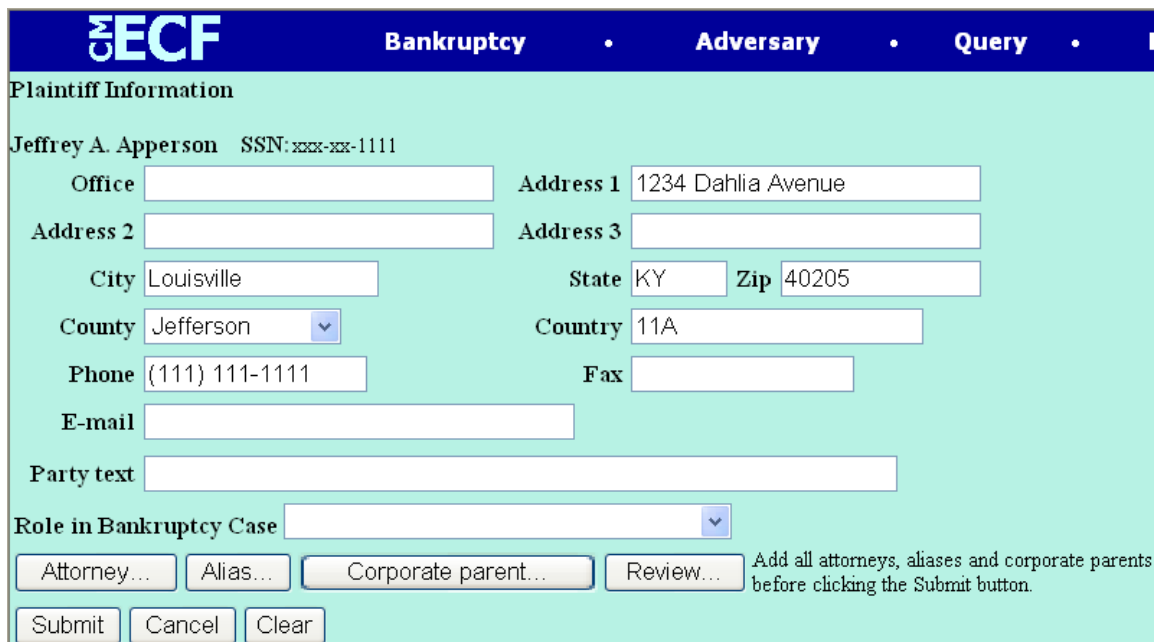
If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.

The screenshot shows the ECF Bankruptcy Adversary Query interface. At the top, there is a navigation bar with 'Bankruptcy', 'Adversary', and 'Query' links. Below this, the 'Search for a plaintiff' section contains input fields for SSN, Tax Id, Last/Business name, First Name, and Middle Name, along with 'Search' and 'Clear' buttons. The 'Party search results' section displays a list of search results, with 'Apperson, Jeffrey A.' highlighted. A pop-up window titled 'Person Address - Microsoft Internet...' displays the following information: Jeffrey A. Apperson, SSN: xxx-xx-1111, 1234 Dahlia Avenue, Louisville, KY 40205, 11A, County: Jefferson. At the bottom of the search results section, there are buttons for 'Select name from list' and 'Create new party'.

Figure 7b

STEP 8 The **PLAINTIFF INFORMATION** screen appears. (See Figure 8.)

- ◆ Enter the plaintiff's **Name** and **Tax ID** or **SSN** information in the appropriate boxes.



CM/ECF Bankruptcy • Adversary • Query •

Plaintiff Information

Jeffrey A. Apperson SSN: xxx-xx-1111

Office Address 1 1234 Dahlia Avenue

Address 2 Address 3

City Louisville State KY Zip 40205

County Jefferson Country 11A

Phone (111) 111-1111 Fax

E-mail

Party text

Role in Bankruptcy Case

Attorney... Alias... Corporate parent... Review... Add all attorneys, aliases and corporate parents before clicking the Submit button.

Submit Cancel Clear

Figure 8

- ◆ Expand the **Role in Bankruptcy Case** selection pick list by clicking on the down arrow ▼ and select appropriate role of the plaintiff.
 - Creditor
 - Debtor
 - Other/Not Applicable
 - Trustee
 - U.S. Trustee/Bankruptcy Administrator
- ◆ The **Party Text** field is used for further party description, such as A Kentucky Corporation or Executor for the Estate of.... This information will appear on the caption of the docket report immediately after the party's name.
- ◆ Click on the **[Attorney]** button on the **PARTY INFORMATION** screen. (See Figure 8.)

STEP 9 For adversary openings **ONLY**, you will need to add yourself as the attorney representing the plaintiff(s). Steps 7 - 9 will show how this is done.

- ◆ Your attorney record already exists on the court's database in an attorney roll that is maintained by court staff.

The **ATTORNEY SEARCH** screen allows you to retrieve your attorney record by either State Bar ID or Last Name (or partial Last Name.) (See Figure 9.)



Figure 9

- ◆ Click on **[Search]**.

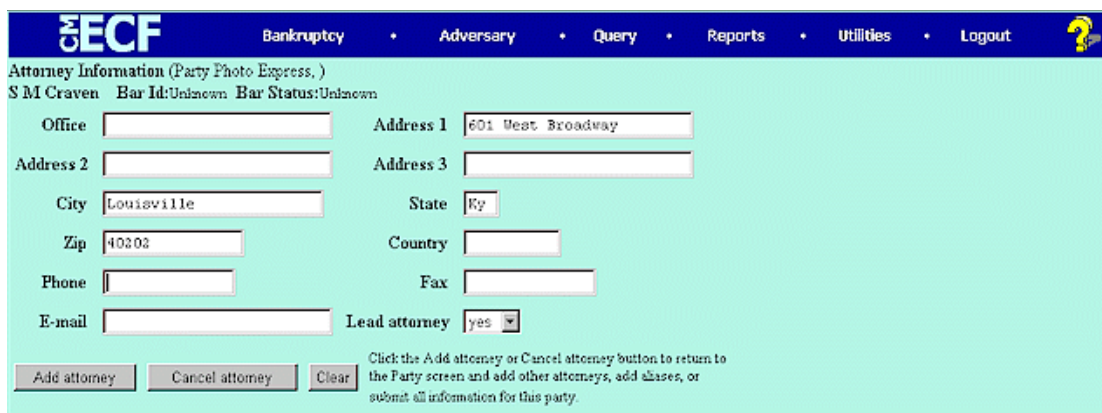
STEP 10 The **ATTORNEY SEARCH RESULTS** screen will display all the matches for the search clue you entered. (See Figure 10.)



Figure 10

- ◆ When your name appears, highlight it with your mouse and click on **[Select Name From List]**.

STEP 11 The **ATTORNEY INFORMATION** screen displays the master attorney record from the court attorney roll. (See Figure 11a.)



ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Attorney Information (Party Photo Express.)
 S M Craven Bar Id:Unknown Bar Status:Unknown

Office Address 1
 Address 2 Address 3
 City State
 Zip Country
 Phone Fax
 E-mail Lead attorney

Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.

Figure 11a

- ◆ Your attorney record can accommodate only one address. If the address for this case is different, make the changes to this screen. This will change professional and mailing information FOR THIS CASE ONLY.
- ◆ After verifying this information, click **[Add Attorney]** to associate this record with your plaintiff.
- ◆ The main **PLAINTIFF INFORMATION** screen again appears. (See Figure 8.) At this time you could click on the **[Review]** button to verify attorney and alias information for this party.
- ◆ Click on the **[Return to Party]** button.
- ◆ When the Party Information screen appears again, Click **[Submit]**.

STEP 12 You have added the first plaintiff. If there are more plaintiffs, the next step would be continue adding plaintiffs until all have been added. The **SEARCH FOR PLAINTIFF** screen will appear again for that purpose. (See Figure 6.)

- ◆ When you have finished adding plaintiffs, Click **[End Plaintiff Selection]**.

STEP 13 The **SEARCH FOR A DEFENDANT** screen will appear. (See Figure 13.)

The screenshot shows a web form titled "Open Adversary Case" under the "ECF Bankruptcy Adversary" header. The form is light blue and contains several input fields for searching a defendant. The fields are: "SSN" (Social Security Number), "Tax Id" (Tax Identification Number), "Last/Business name", "First Name", and "Middle Name". Below these fields are two buttons: "Search" and "Clear".

Figure 13

- ◆ Before adding a defendant, it is recommended that one search the database for the filer. One can search by Social Security Number, Tax Identification Number, Last Name or Business Name.
 - Enter the last name of the party to be searched. If this is a business filing, enter the first word of the name to search the database. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters

Search Hints:

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Searching is case sensitive. (Smith, not smith)
- Include punctuation. (O'Brien, Zeta-Jones)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (*son, Gr?y)
- Do not search only by the asterisk * itself.

- ◆ Enter the defendant's last name or other search clue and click **[Search]**.

NOTE: Do not use the asterisk * by itself as search criteria. If just the asterisk is used, the entire database will be searched and require unnecessary systems resources and may degrade response time.

- STEP 14** The **SEARCH FOR A DEFENDANT RESULTS** screen appears. (See Figure 14.)

ECF Bankruptcy Adversary

Search for a defendant

SSN Tax Id

Last/Business name

First Name

Middle Name

Party search results

Big Springs Restaurant,

Figure 14

- ◆ Highlight the name and click on **[Select name from list]**.

- STEP 15** The **DEFENDANT INFORMATION** screen appears next with the defendant's data and address as it is recorded in the database from the bankruptcy case. (See Figure 15.)

ECF Bankruptcy Adversary Query

Defendant Information

Big Springs Restaurant SSN: Unknown

Office Address 1 1402 W. Main Street

Address 2 Address 3

City Louisville State KY Zip 40202

County Jefferson Country

Phone Fax

E-mail

Party text

Role in Bankruptcy Case

Add all attorneys, aliases and corporate parents before clicking the Submit button.

Figure 15

- ◆ If an address for the defendant appears, **REMOVE IT**. You **must** select the Defendant's Role in Bankruptcy Case by clicking on the

▼ down arrow for the **Role in Bankruptcy Case** field. **Highlight the appropriate role** and click on **[Submit]**. **The defendant's attorney information will be added at a later time.**

- ◆ The Search for Defendant screen will reappear. If there are more Defendant's to add to the adversary case, continue searching and adding defendants until all defendants have been added. Once all Defendants have been entered, click on **[End defendant Selection]**. Statistical information will be entered on the next screen.

STEP 16 The **ADVERSARY STATISTICAL** screen appears.
(See Figure 16a).

Figure 16a

- ◆ Unless the US is a plaintiff or defendant in your case, accept the default **US is not a Party in the Case** as shown in Figure 16b.

Figure 16b

- ◆ Select the Primary Nature of Suit of the complaint from the list. (See Figure 16c.). Only one suit can be selected as the primary

during the opening of an adversary case. However, there are options to enter Second Nature of Suit, Third Nature of Suit, Fourth Nature of Suit and Fifth Nature of Suit on this screen. If more than one nature of suit applies, make the appropriate selections.

Primary nature of suit

none

none

01 (Determination of removed claim or cause)

02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))

11 (Recovery of money/property - 542 turnover of property)

12 (Recovery of money/property - 547 preference)

13 (Recovery of money/property - 548 fraudulent transfer)

14 (Recovery of money/property - other)

21 (Validity, priority or extent of lien or other interest in property)

31 (Approval of sale of property of estate and of a co-owner - 363(h))

41 (Objection / revocation of discharge - 727(c),(d),(e))

51 (Revocation of confirmation)

61 (Dischargeability - 523(a)(5), domestic support)

62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)

63 (Dischargeability - 523(a)(8), student loan)

64 (Dischargeability - 523(a)(15), divorce/sep property settlement/decreed)

65 (Dischargeability - other)

66 (Dischargeability - 523(a)(1),(14),(14A) priority tax claims)

67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)

68 (Dischargeability - 523(a)(6), willful and malicious injury)

71 (Injunctive relief - reinstatement of stay)

72 (Injunctive relief - other)

81 (Subordination of claim or interest)

91 (Declaratory judgment)

SS (SIPA Case - 15 U.S.C. 78aaa et seq.)

Figure 16c

NOT

E: If one of the multiple suits is a 727 Objection to Discharge, it is important to enter 41 as the Primary nature of suit and all others as secondary, third, fourth, etc.

- ◆ The default in the **Rule 23 (Class Action)** box is *n*. Change the default to *y* only if this is a Class Action suit.

- ◆ The default in the **Jury Demand** box is *n* (None). (See Figure 16d.)

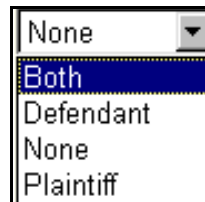


Figure 16d

- Highlight the appropriate selection.
- ◆ **Dollar Demand.** If there is a dollar demand, enter the amount in thousands to the nearest thousand. For example, if the Dollar Demand is \$4550, \$5,000, or \$5499, you would enter 5 for \$5000, leaving off the 000.
- ◆ **State Law** defaults to [n] for No. If an entry of an existing substantive issue of state law exists, change to [y] for Yes.
- ◆ Verify the data on your screen and then click **[Next]**. You will not be able to proceed with the case opening process. Research the reason for the error.

If you do not enter any number in the **Lead Case Number** field the system **will** allow you to proceed with case opening.
- ◆ Select the default of Adversary as the **Association Type**.
- ◆ Click **[Next]** to continue.

STEP 17 The **PDF DOCUMENT SELECTION** screen displays.

(See Figure 17a.)

The screenshot shows the 'Open Adversary Case' form in the CM/ECF system. The form has a blue header with the CM/ECF logo and tabs for 'Bankruptcy' and 'Adversary'. The main section is light blue and contains the text: 'Select the pdf document (for example: C:\199cv501-21.pdf).'. Below this is a 'Filename' label and a text input field. To the right of the input field is a 'Browse...' button. Below the input field is the text 'Attachments to Document:' followed by two radio buttons: 'No' (selected) and 'Yes'. At the bottom of the form are two buttons: 'Next' and 'Clear'.

Figure 17a

- ◆ To associate the imaged document with this entry, select the PDF filename of the complaint you are filing.
 - Click **[Browse]**, then navigate to the directory where the appropriate PDF file is located and select it with your mouse.
 - To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. (See Figure 17b.)

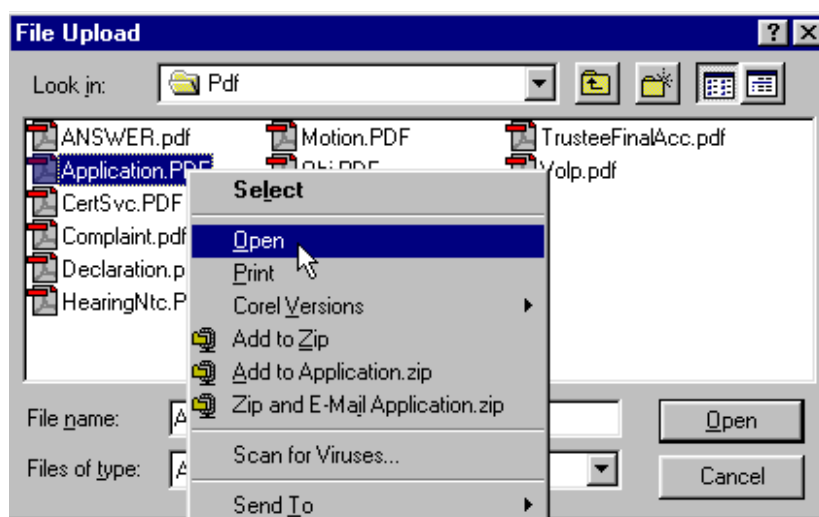


Figure 17b

- This will launch the Adobe Acrobat Reader to display the contents of the imaged document. Verify that the document is correct.

- Close or minimize the Adobe application and if that is the correct file, click Open on the File Upload dialogue box. (See Figure 17c.)

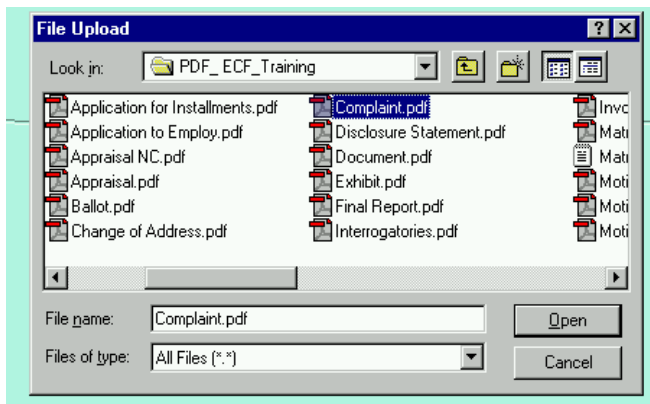


Figure 17c

- ◆ If you have attachments to your adversary proceeding, change the radio button to [Yes]. Otherwise, leave the radio button indicating No.
- ◆ Click **[Next]** to continue.

STEP 18 The **FILING FEE** screen will display prompts for fee and receipt information. (See Figure 18.)

Bankruptcy • Adversary • Query • Reports • Utilities • Logout	
Open Adversary Case	
If you are attempting to file a New Adversary Proceeding and have selected the category Complaint and entered the Main Case number you must abort this transaction go to the Adversary category and select the event OPEN an AP CASE .	
You must leave the receipt box blank in order for the credit card payment to be processed.	
If fee does not apply or will be deferred remove fee amount from box below. Please note that there is no fee for a complaint filed by a Chapter 7 or Chapter 13 debtor.	
Receipt #:	Fee: \$ 250
Next	Clear

Figure 18

- ◆ You must leave the receipt box blank in order for the credit card payment to be processed.
- ◆ The Fee Amount defaults to the current amount of the complaint filing fee. If the fee does not apply or will be deferred, remove the fee amount from the fee box.
- ◆ Click **[Next]** to continue.

STEP 19 The **MODIFY TEXT** screen displays. (See Figure 19.)

ECF Bankruptcy • Adversary • Query • Reports • Utilities

Open Adversary Case

Docket Text: Modify as Appropriate.

(41 (Objection / revocation of discharge - 727(c),(d),(e))) Complaint by David W. Brangers , Joseph Robert Attorney Jr. on behalf of Jeffrey A. Apperson against Big Springs Restaurant . Fee Amount \$250(Attorney, Joseph)

Next Clear

Figure 19

- ◆ Optional prefixes are available for the final docket text. If appropriate select a prefix.
- ◆ Additional description can be typed in the text window.
- ◆ Click **[Next]**.

STEP 20 The **FINAL DOCKET TEXT** screen displays. (See Figure 20.)

- ◆ Proof this screen carefully! No further editing in the adversary case opening process is allowed after this screen.

ECF Bankruptcy • Adversary • Query • Reports • Utilities

Open Adversary Case

Docket Text: Final Text

(41 (Objection / revocation of discharge - 727(c),(d),(e))) Complaint by David W. Brangers, Joseph Robert Attorney Jr. on behalf of Jeffrey A. Apperson against Big Springs Restaurant. Fee Amount \$250(Attorney, Joseph)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Next Clear

Figure 20

- ◆ If any part of it is incorrect, click the browser **[Back]** button to return to the screen you need to correct. Then process the screens again with the respective **[Next]** or **[Submit]** buttons.

NOTE: When an adversary is opened, the complaint information is spread over to the main bankruptcy case. (The case number does not appear in the docket text, but will appear on the Notice of Electronic Filing screen.)

NOTE: To abort or restart the transaction at any time up until the final docket text screen, click the **Adversary** hyperlink on the **Menu Bar**.

STEP 21 The Internet Payment screen will be displayed. (See Figure 21). You will be given the opportunity to either pay your fees now by clicking on the Pay Now button, or to continue filing and pay all of the days outstanding fees at the end of the day by clicking on the Continue Filing option. Refer to the On-Line Credit Card manual for more information on paying your fees on-line.

Date	Description	Amount
2003-10-23 11:21:47	Chapter 7 Voluntary Petition (03-30120) [caseupld,13petu] (194.00)	\$ 194.00
2003-10-23 11:30:02	Chapter 7 Voluntary Petition (03-30121) [caseupld,7petu] (209.00)	\$ 209.00
2003-10-23 11:42:11	Voluntary Petition (03-30122) [misc,volp7a] (209.00)	\$ 209.00
2003-10-23 12:15:36	Complaint(03-03007) [cmp,cmp] (150.00)	\$ 150.00
Total:		\$ 964.00

Pay Now Continue Filing

Figure 21

STEP 22

The **NOTICE OF ELECTRONIC FILING** screen appears.
(See Figure 22.)

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

Open Adversary Case

U.S. Bankruptcy Court
Western District of Kentucky

Notice of Electronic Filing

The following transaction was received from Attorney, Joseph entered on 9/27/2006 at 2:30 PM EDT and filed on 9/27/2006

Case Name: Apperson v. Big Springs Restaurant
Case Number: [06-03010](#)
Document Number: [1](#)

Case Name: Jake The Cat
Case Number: [06-30011](#)
Document Number: [4](#)

Docket Text:
Adversary case 06-03010. (41 (Objection / revocation of discharge - 727(c),(d),(e))) Complaint by David W. Brangers, Joseph Robert Attorney Jr. on behalf of Jeffrey A. Apperson against Big Springs Restaurant. Fee Amount \$250(Attorney, Joseph)

The following document(s) are associated with this transaction:

Document description: Main Document
Original filename: M:\ScannedDocuments\Trash\00-34875.pdf
Electronic document Stamp:
[STAMP bkecfStamp_ID=996699402 [Date=9/27/2006] [FileNumber=14080-0] [5265347727ebbf6a34a871a19927bc2994469ae4be3bd5caf1f3e41a8b75208a5366058fb2e029ae5bf037596e6b28c7ac92131b73575e0a2b62b7640a6b4d77]]

Document description: Main Document
Original filename: M:\ScannedDocuments\Trash\00-34875.pdf
Electronic document Stamp:
[STAMP bkecfStamp_ID=996699402 [Date=9/27/2006] [FileNumber=14081-0] [262ada8f77c21640bbe4d2ff41dc210c7afd77417caad734d2dc774785eee3fa2e14c295803fb44a4494fef66e34a3fa82dd485f1766680c2a1abe6984622ab5]]

06-03010 Notice will be electronically mailed to:

Figure 22

- ◆ The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document.
- ◆ The case number is a hyperlink to the docket sheet and clicking on the document number hyperlink will display the image of the complaint. **The case number of both this adversary and the lead bankruptcy case appear.** This indicates that this complaint entry has spread to the bankruptcy case and will be available to anyone reviewing the Bankruptcy Docket report. The hyperlink to the imaged complaint is also accessible from the bankruptcy case.

- ◆ Further access to the **Notice of Electronic Filing** is available though the electronic docket report. When this option is selected, a bullet appears next to the document number of the event on the docket report. Clicking on this bullet will display a copy of this notice. Attorney users will be presented with a PACER login screen first.
- ◆ To print a copy of this notice, click the browser **[Print]** icon.
- ◆ To save a copy of this receipt, click **[File]** on the browser menu
- ◆ Trustee and Attorney users will have access to the **Notice of Electronic Filing** at the time of their filing. Subsequent access to any Query or Report programs must go through the PACER system. (See Figure 22b.)
- ◆ When a copy of the **Notice of Electronic Filing** is mailed to each

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PACER Login

Instructions
Enter your PACER login and password. If you do not have a PACER login, you may register online at <http://pacer.psc.uscourts.gov>. If you have a CM/ECF filer login and password, and would like to automatically log in to PACER each time you log in as a filer, check the box below.

☐ Make this my default PACER login
After checking this box, you will only need to use your **CM/ECF** login and password, either for electronic filing or for viewing documents via **PACER**.

Authentication

Login:

Password:

Client code:

Notice: An access fee of \$.08 per page, as approved by the Judicial Conference of the United States, will be assessed for access to this service. This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged. For more information, contact the PACER Service Center at (800)676-6865.

Figure 22b

subscriber on the case, the following message will display at the top:

*****NOTE TO PUBLIC ACCESS USERS*****

You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.